App. Ser. No.: 10/618,410 Atty. Dkt. No. ROC920030164US1

PS Ref. No.: IBMK30164

## **REMARKS**

In the Notice of Non-Compliant Amendment dated December 20, 2006, the Examiner states that the "text of claims 2-3, 21-22 should not appear in the listing of claims." Application has removed the text from claims 2-3 and 21-22. However, for the benefit of the Examiner, Applicants point out that the PTO has waived the requirement under 37 CFR 1.121 (c) regarding the prohibition against inclusion of text in canceled claims. See, OG June 01, 2005.

## Conclusion

Having addressed all issues set out in the notice, Applicants respectfully submit that the claims are in condition for allowance and respectfully request that the claims be allowed.

Respectfully submitted, and S-signed pursuant to 37 CFR 1.4,

/Gero G. McClellan, Reg. No. 44,227/ Gero G. McClellan Registration No. 44,227 PATTERSON & SHERIDAN, L.L.P. 3040 Post Oak Blvd. Suite 1500 Houston, TX 77056 Telephone: (713) 623-4844

Facsimile: (713) 623-4846 Attorney for Applicant(s)